

**MUNICIPALITY OF MT. LEBANON
PLANNING BOARD MINUTES**

DATE: Tuesday, March 28, 2017

TIME: 7 p.m.

PLACE: Mt. Lebanon Municipality – Commission Chambers

BOARD MEMBERS PRESENT: Dennis Pitman, Rick Sabeh, Suzanne Sieber, Bill Pope

STAFF MEMBERS PRESENT: Municipal Planner Ian McMeans, Municipal Engineer Dan Desieroth

1. Minutes

February 28, 2017, meeting. Ms. Sieber moved and Mr. Sabeh seconded to approve the February 28, 2017, Planning Board minutes. The motion passed unanimously.

2. Old Business

- a. Request for recommendation for final approval of the Uptown Place land development plan. Rolling Lambert Building Company, Inc. has equitable interest in a property located at 770 Washington Road. The developer is requesting approval of a land development plan to construct five single-family attached dwellings.

Mr. Deiseroth read into the record a letter from Gateway Engineers dated March 24, 2017. He said the land developer has addressed the majority of the comments, but they still need to provide evidence of the agreement of the storm water conveyance through other properties as a recorded easement. The developer is not proposing any lighting for parking because this project is residential in scale, but they are proposing lighting on the buildings, and some post lights. He would like to see the lights and their location so there is an understanding of what they will look like for the final product. A subdivision will be required once the building is constructed, which will be divided along party walls.

Mr. Pittman indicated these are for-sale units and the subdivision will be completed before the sale of any of those units.

Matt Cramer, Rolling Lambert Building Co., showed to the board samples of the brick and limestone they would like to use.

Mr. McMeans indicated to the audience that this project is next to the south parking lot across from Washington Elementary School.

Citizen Comments

Ihab Salib, 40 Standish Boulevard, said that he supports this project, but asked about the construction phase, specifically if Washington Road, or any of the parking spaces

in front of this property, would be closed during construction, and if so, how long would it to be closed. He also asked about the estimated total cost for construction.

Mr. Cramer said they will not close off Washington Road except when they are expecting deliveries of building materials. They may also reserve parking spaces for the same reasons, but expect that to be on a day-to-day basis. They expect the construction schedule to be five to six months.

Mr. Pope moved and Mr. Sabeh seconded to grant recommendation for final approval for the Uptown Place land development plan conditioned on the engineer's review comments in a letter dated March 24, 2017, comments from the planning board, and the commission granting any requested waivers or modifications. The motion passed unanimously.

- b. Request for preliminary approval of Beyond Self Storage land development plan. NorthPoint Development, LLC has an equitable interest in the property located at 512 Castle Shannon Boulevard. The developer received a variance for the use of a self-storage facility on the property and a variance that off-street parking requirements would comply with §817.5.1 of the Zoning Code. The developer is requesting approval of a land development plan to construct a self-storage facility.

Mr. Deiseroth read into the record a letter from Gateway Engineers dated March 20, 2017. The developer submitted revised engineering plans prior to the last planning board meeting, but the board did not have a chance to review them before the meeting. The revised plans addressed the majority of the engineers' comments. There are some minor comments under the design standards indicating the depth and gauge of metal panels proposed must be provided on the elevations, detailing materials, and comments regarding the storm water management plan. Everything can be addressed before submission for final approval.

Mr. Sabeh asked if they had received their highway occupancy permit.

Rob Bassett, Civil Environmental Consultants, said they have made an initial submission and received comments from PennDOT. They will be resubmitting, but they are waiting for storm water consistency letter and the NPDES permit.

Mr. Sabeh asked if any of the comments received were regarding egress on the site specifically right turn only.

Mr. Bassett said it would be full access in and out of the site. There were no comments regarding egress.

Mr. Hagadorn showed renderings and elevations of the building.

Mr. Pittman asked about the hours of operations, and if this would be staffed by a member of the firm, or subcontracted.

Mr. Hagadorn said it would be staffed by an employee of NorthPoint—who is the developer, owner, and operator—and it will be staffed from 9 a.m. to 6 p.m. weekdays; 9 a.m. to 4 p.m. on Saturdays, and 11 a.m. to 4 p.m. on Sundays.

Mr. Pittman asked if there would be access by the tenants outside of those hours.

Mr. Hagadorn said tenants would have access to their units 9 a.m. to 10 p.m., seven days a week.

Mr. Pittman asked about the sizes and how many of each size would be available for rent.

Mr. Hagadorn said they are proposing 800 units, with sizes ranging 5'x5' – 10'x30'. The majority of the units would be 10'x10'

Mr. Sabeh asked how if there would be a way for people to access the units outside of the hours of operation.

Mr. Hagadorn said this would be a drive-through facility so in-and-out access would be by a control panel. Each renter would have their own code which would need to be entered in order for the tenant to gain access, and it would be logged. There will be 40 cameras around the facility – at all of the entrances, exits, and elevators – which will be recording. The tenant would also need to use their code at the control panel to exit the building.

Mr. Sabeh asked if there were any preventative measures to keep out people who are not tenants.

Mr. Hagadorn said tenants cannot access the units after 10 p.m., but they must be able to get out. The units will not have power which would limit working within a unit. No one can live in a unit, and is restricted by the lease. If they do suspect someone is perhaps misusing the units, they have the cameras to provide evidence.

Mr. McMeans said at the last meeting the board had questions regarding the transparency of the façade. The new drawings comply with municipal requirements.

Citizen Comments

Ed Bogner, 800 White Oak Circle, said this is a commercial district; he said the Rite-Aid is open 24 hours, seven days a week. He said this project is low volume and shouldn't affect the traffic patterns. He praised NorthPoint for their projects and feels this is a very high-end building.

Bill Lewis, 816 Ridgeview Drive, asked if the ingress/egress on the side of Rite Aid was considered for this project, as an alternative to the left and right turns onto Castle Shannon Boulevard.

Mr. Hagandorn said that access is owned by Duquesne Light. They talked with them about an easement, but it was not something in which Duquesne Light was interested. However, they are still talking about construction access, which Duquesne Light is considering.

Mr. Bognar indicated he had a similar conversation with Duquesne Light regarding permanent easement.

Ms. Sieber moved and Mr. Sabeh seconded to grant preliminary approval for the Beyond Self Storage land development plan conditioned on the engineer's review comments in a letter dated March 20, 2017, comments from the planning board, and the commission granting any requested waivers or modifications. The motion carried unanimously.

3. New Business

- a. Request for preliminary approval and recommendation for final approval for the Hoffman-Ung-Lee Subdivision Plan. The asphalt parking lot of 121 Mt. Lebanon Boulevard encroaches onto the properties at 124 Rock Haven Lane and 128 Rock Haven Lane. The plan would divide the property at 124 Rock Haven Lane into two parcels with a section of 900.95 square feet to be acquired and consolidated with the property at 121 Mt. Lebanon Boulevard. The plan would divide the property at 128 Rock Haven Lane into two parcels with a section of 558.47 square feet to be acquired and consolidated with the property at 121 Mt. Lebanon Boulevard.

Mr. Deiseroth said he reviewed the plan. They are trying to get the parking lot on the correct property, and the correct zoning district. He read into the record a letter from Gateway Engineers dated March 13, 2017; they have no additional comments regarding the plan. The plan is accurate and represents what is required in Mt. Lebanon's ordinance. Allegheny County had a couple comments that need to be addressed such as some misspellings, and a highway occupancy permit note.

Mr. McMeans summarized the motion. The current parking lot at 121 Mt. Lebanon Boulevard extends across the property line when it was built in the 1950s. There is a small section of the parking lot that is across the property line. The property at 121 Mt. Lebanon is acquiring that section from the neighbors on Rock Haven. This project did go to the zoning hearing board and received a variance for the rear yard setback, so they could acquire less property from the neighbors.

Citizen Comments

There were no citizen comments.

Mr. Sabeh moved and Mr. Pope seconded to grant preliminary approval and recommendation for final approval for the Hoffman-Ung-Lee subdivision plan, conditioned on the engineer's review comments in a letter dated March 13, 2017, comments from the Allegheny County review letter dated March 24, 2017, and any comments from the planning board. The motion carried unanimously.

- b. Request for recommendation of an ordinance amending the Zoning District Map. The ordinance is that the Mt. Lebanon Zoning District Map made a part of the Zoning Ordinance in Section 106.3.1, of Chapter XX, Zoning, shall be amended by changing the zoning classification of the following certain property from R-1 Single-Family Residential District to R-4 Multi-Family-Mixed Residential District.

Mr. McMeans explained that the property at 121 Mt. Lebanon Boulevard is acquiring 1,459.42 square feet of property from the adjoining properties at 124 Rock Haven Lane and 128 Rock Haven Lane as part of the Hoffman-Ung-Lee Subdivision Plan. The property at 121 Mt. Lebanon Boulevard is part of the R-4 zoning district and the properties on Rock Haven Lane are part of the R-1 zoning district. The request would rezone the 1,459.42 square feet of property that is being consolidated with the property at 121 Mt. Lebanon Boulevard from R-1 to R-4. The property received a variance from the rear yard setback requirement.

Mr. Deiseroth said he has reviewed the application and it complies with the zoning and the Subdivision and Land Development Ordinance.

Citizen Comments

There were no citizen comments.

Mr. Sabeh moved and Ms. Sieber seconded to grant recommendation for approval of an ordinance to amend the Mt Lebanon Zoning Map to change 1,459.42 square feet of property that is being consolidated with the property at 121 Mt. Lebanon Boulevard from R-1 residential to R-4 residential, conditioned on the engineer's review comments in a letter dated March 17, 2017, and any comments from the planning board. The motion carried unanimously.

- c. Request for recommendation of an ordinance amending the Zoning District Map. The ordinance is that the Mt. Lebanon Zoning District Map made a part of the Zoning Ordinance in Section 106.3.1, of Chapter XX, Zoning, shall be amended by adding a certain property to the Continuing Care Overlay District.

All that certain parcel of land, being Block and Lot 251-N-140, is located at the corner of Connor Road and Terrace Drive. Northpoint Senior Living Development has requested the amendment to the zoning district map.

Alice Mitinger, Cohen & Grigsby, counsel for the applicant, said they are requesting a possible change to the zoning ordinance in two ways. The first it to extend the Continuing Care Overlay district to include this property. The Pines property is adjacent to this property and has 3.4 acres, although the minimum lot size for continuing care conditional use is 5.0 acres. They are proposing a 4.5-acre extension. The second request would be to change the zoning ordinance to allow a continuing care facility to be built on 4.5 acres. They have made a formal request to the zoning hearing board, which will be held on Thursday, March 30. They are more concerned about the

planning board's consideration in extending the Continuing Care Overlay district. They are proposing to disturb about 2 acres of the 4.5 acre lot.

Mark Pomeranke, NorthPoint Development, said this company builds senior assisted living facilities, and began the process for Stonecrest approximately two years ago beginning with a meeting with Mr. Deiseroth. They are proposing an 85-unit facility, which allows the facility to provide all the amenities that are in demand, but also allows the facility to maintain a neighborhood feel. Only assisted living, and memory care, tailored to those with Alzheimer's and dementia. They have launched eight facilities nationwide, and really like Pittsburgh, and Mt. Lebanon in particular. Their marketing studies show a need for at least 300 additional units in this market.

Dan Theis, Stonecrest Assisted Living, said the average age of their residents are approximately 84 years old, 75% of residents being female. Only about 1% of the residents have cars, and the keys stay with the director of the facility. Rates would be from \$4,500-\$10,000 per month.

Mr. Pittman asked if this facility would be available to younger people with disabilities.

Mr. Theis said they do have younger residents at other facilities that do have memory care needs.

Mr. Pomeranke stated they would be licensed as a personal care home that does have restrictions such as an age restriction of 62.

Ms. Mitinger said the developer did have a community meeting before they submitted their application to the planning and zoning hearing boards.

Mr. Deiseroth said there were no engineering comments regarding this item.

Mr. Pope asked how many CC overlay districts are in Mt. Lebanon.

Carolyn Yagle, Environmental Planning and Design, said her firm was asked to provide mapping analysis associated with parcels within in the municipality. They produced a location map of other senior living facilities and their acreage in Mt. Lebanon. Not all of the senior living facilities are in the continuing care overlay. Most of those facilities meet the five-acre minimum, but there are a few that do not. The assessment data on the Allegheny County website reports the acreage of the neighboring property as over five acres, however information from the county's GIS department shows the property at 3.4 acres. The information they have presented is based on the county's GIS information.

Mr. Pope asked why The Pines did not need to request a variance since they are under the five-acre ordinance.

Mr. McGill, municipal manager, said The Pines, originally developed as Independence Court, predated the continuing care overlay, therefore the five-acre requirement did not exist at the time of that development.

Mr. Pope asked if the developer has spoken with anyone from The Pines.

Mr. Theis said they have not spoken with The Pines, they have spoken with the nearby residents.

Mr. Pope asked if the Mr. Pomeranke and Mr. Hagadorn know each other, and if the two projects are contingent on each other.

Mr. Pomeranke said they do know each other, but their individual projects are independent of each other. They are stand-alone projects, with different investment groups. He said they did an extensive demographic analysis of the Mt. Lebanon area and discovered there is an under supply of storage units, and has a strong aging population. Sometimes the two can go hand-in-hand as people moving into assisted living facilities need a storage place for their belongings.

Mr. Sabeh voiced concerns about whether this project would eventually need to be expanded, similar to other assisted living facilities in Mt. Lebanon that have needed to do so, which is part of the reason why the ordinance requires five acres. Will this site be big enough should they need to expand.

Mr. Pomeranke said many other properties offer different types of continuing care retirement communities that provide care for seniors as they move from independent living to skilled nursing care. Many times those facilities make commitments to their residents that they will provide continuing care as they age. Many of these types of facilities have entrance fees. This is a different model than what they provide; therefore, they don't consider them to be in direct competition. They do not plan on expanding and feel this site provides adequate space for them. They are still able to provide a 75-foot buffer between this project and the neighbors to the north, and a 200-foot buffer between them and The Pines on the west side. They should be able to maintain some of the natural habitat.

Ms. Sieber asked why they chose Mt. Lebanon.

Mr. Pomeranke said they will build a facility that will reflect well on Mt. Lebanon and they will be hiring approximately 50 employees of various skill sets, and like to hire locally. They are a taxable entity so that will provide income to the municipality. They like to be a community partner and look forward to participating in community events. They anticipate many of their residents will be coming from Mt. Lebanon and will be looking to give back to the residents and their families, and like to keep their residents active in the community. They are pre-approved for financing and should they receive approval they will move quickly to build this project. They expect to need approximately two months to prepare the property for building, then approximately 10

months to build the project. The same company that owns the building will be the one building it as well.

Mr. Pittman asked if they would be giving a similar presentation to the zoning hearing board on Thursday.

Ms. Mitinger said it would be a similar argument to the zoning hearing board. There are significant topographical challenges to that site, and they feel the challenges make it difficult for that site to be developed for any other permitted purpose. They are asking this board to allow their 4.5 acre to be included in the continuing care district. The second request would be unnecessary for the project if the zoning hearing board grants this request.

Citizen Comments

Bill Lewis, 816 Ridgeview Drive, gave a history of this property. It is has had various owners that have tried to develop it in various ways, but the high-pressure gas lines and the intermittent stream make it difficult to develop for the R-1 district. He feels this is a worthwhile site to extend the continuing care overlay. He is in support of this project. He said Terrace Drive is classified as a collector street, but does not conform with a collector street size. The requirements for a collector street are 30 feet, while Terrace Drive is only 25 feet.

Bill Carlson, 1485 Mohican Drive, is concerned about coal mining that took place in that area and what the developer may discover. He asked about the relationship between NorthPoint and Stonecrest, and who would actually own the project. He objects to the ordinance amendments.

Mike McElligott, 217 Sunridge Drive, said his house is higher than Connor Road, but got mine subsidence insurance and had only 200 feet of separation between his house and the undermining. He supports the project as long as they are paying taxes.

Ms. Sieber moved and Mr. Sabeh seconded to table the recommendation of an ordinance to amend the Mt. Lebanon Zoning Map to add Block and Lot 251-N-140 to the Continuing Care Overlay District, conditioned on the engineer's review comments in a letter dated March 13, 2017, and any comments from the planning board. The motion carried unanimously.

- d. Request for recommendation for an ordinance amendment. Northpoint Senior Living Development has requested a text amendment to Chapter XX of the Mt Lebanon Code, entitled "Zoning," to amend Section 609.1. The requested ordinance amendment would reduce the minimum lot size requirement for a continuing care facility from 5.0 acres to 4.5 acres.

Ms. Mitinger said she had no further comments for this action, and said they would be able to withdraw this request if the zoning hearing board grants their variance request.

Mr. McMeans said that a text amendment would change the requirements for acreage in any continuing care district. Developers have the opportunity to request adding parcels to a continuing care overlay district that are not currently part of them. So changing the text would apply to any current parcels, and could apply to any parcels that may be added in the future.

Citizen Comments

Bill Lewis, 816 Ridgeview Drive, asked for clarification of the wording for this item.

Mr. McMeans said the planning board would be making a recommendation to the Commission, and the Commission has the final say in any zoning ordinance matters. The zoning hearing board is a quasi-judicial body so their decision does not need to go to the Commission; it can stand alone. The Commission can override the recommendation of the planning board.

Mr. Lewis said the Commission overrode the zoning hearing board regarding the hotel project.

Mr. McGill said the zoning hearing board decisions can be appealed in the Court of Common Pleas; the municipality as a party has the right to enter into an appeal. For the hotel property where the request was denied by the zoning hearing board, the municipality entered an appeal on the side of the developer. There was a conciliation agreement that was reached at Allegheny County and that was how that project was able to move forward.

Mr. Carlson said he does not support this zoning amendment.

Ms Sieber moved and Mr. Pope seconded to recommend denial of an ordinance to amend Section 609.1 of Chapter XX of the Mt. Lebanon Code, entitled "Zoning," to reduce the minimum lot size requirement for a continuing care facility from 5.0 acres to 4.5 acres. The motion carried unanimously.

- e. Request for recommendation for an ordinance amendment. Mt. Lebanon, Pennsylvania, desires to amend Chapter XX of the Mt Lebanon Code, entitled "Zoning," to clarify and update a number of provisions in the Zoning Code.

Mr. McMeans said when he was hired by the municipality he was given the task of going through the zoning ordinance with the purpose of updating it. He consulted with municipal staff, the municipal engineer, and the municipal solicitor and came up with 45 potential changes to the ordinance. The categories of these changes are small fixes, definition changes, distance updates, use changes and other areas where further study and review may be needed.

Ms. Sieber was very impressed with Mr. McMeans presentation and thanked him for a job well done. She said the board would recommend changing §633.2 regarding an on-site manager being available during all operational hours.

Mr. McMeans said he would note that change and make it available for the solicitor's review.

Mr. Sabeh asked if warehouse and self-storage facilities were being treated differently in definition, but allowing a warehouse to have hours of 7 a.m. to 10 p.m. He recommended changing the time based on two different uses. He is concerned about times that a warehouse could be in operation.

Mr. McMeans said the 7 a.m. to 10 p.m. was from the zoning hearing board regarding self-storage facilities. Other times throughout the ordinance are 6 a.m. to 11 p.m. for certain uses within the C-1 business district. He asked if the board had any recommendations for permitted times of operation for warehouses.

Mr. Sabeh recommended perhaps the same times as construction companies, and the garbage company are allowed to work; 7 a.m. to 7 p.m., Monday through Saturday, with no work on Sunday. He also asked for verification regarding a lapse in time for a variance or special conditional use being six months.

Mr. McMeans qualified that statement by adding if no action is taken. He said that in the subdivision and land development ordinance a lapse of one year is allowed.

Mr. Sabeh recommended that one year be applied to a variance or special conditional use.

Citizen Comments

There were no citizen comments.

Mr. Sabeh moved and Mr. Pope seconded to grant recommendation for approval for the ordinance amending Chapter XX of the Mt. Lebanon Code, entitled "Zoning," to clarify and update a number of provisions in the Zoning Code. The motion carried unanimously.

4. Citizen Comments

None

Mr. McMeans said this is Mr. Pope's last meeting. He thanked Mr. Pope for his years of service.

5. Next Meeting — The next regularly scheduled meeting of the Mt. Lebanon Planning Board is **Tuesday, April 25, 2017, at 7:00 p.m.**

6. Adjournment

The meeting was adjourned at 9:00 p.m.